



Express Mail No.: EV666038855US

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	APPLICATION NO:	10/538,964
	FILING DATE:	June 14, 2005
	FIRST NAMED INVENTOR:	Doug Sweet
	ART UNIT:	
	EXAMINER NAME:	
	DOCKET NO:	P131 US 01

### I. U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO. & KIND CODE (if known)	PUB'N DATE mm-dd-yyyy	PATENTEE OR APPLICANT NAME	Pages, Columns, Lines Where Relevant Passages Or Relevant Drawings Appear
	3600900A	08/24/1971	Buddecke	
	4018565A	04/19/1977	Fletcher, III et al.	
	4084541A	04/18/1978	Ito Hiromi	
	4092952	06/06/1978	Wilkie et al.	
	4115861A	09/19/1978	Allington	
	4404641A	09/13/1983	Bazarnik	
	4510169A	04/09/1985	Linner	
	4539632A	09/03/1985	Hansen et al.	
	4695430A	09/22/1987	Corville et al.	
	6498037B1	12/24/2002	Lewis et al.	
	2001/010936	08/02/2001	Rizzo et al.	
	2002/114733A1	08/22/2002	Showalter et al.	
	2004/0266015A1	12/30/2004	Dakocytomation Denmark A/S	
	2005/0064535A1	03/24/2005	Dakocytomation Denmark A/S	

### II. FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Foreign Patent Document Country Code, Number, Kind Code (if known)	PUB'N DATE mm-dd-yyyy	PATENTEE OR APPLICANT NAME	TRANSLATION	
				Yes	No
	AU 7754191 A1	02/18/1992	Healey		
	JP 6504115 T2	05/12/1994			
	JP 8500922 T2	01/30/1996			
	JP 8506888 T2	07/23/1996			
	JP 9503304 T2	03/31/1997			

	WO 0106255A	1/25/2001	Byk Gulden Lomberg Chem Fab		
	WO 95/33240	12/07/1995	Biotek Solutions, Inc.		

### III. OTHER DOCUMENTS

	Supplementary European Search Report, EP 0539379A4 entitled "Automatic Tissue Staining for Immunohistochemistry," 4 pages.
	US Application No. 11/119,417 filed April 30, 2005, entitled "Method and Apparatus for Pretreatment of Biological Samples," 39 pages.
	US Application No. 11/156,760 filed June 20, 2005, entitled "Method and Apparatus for Automated Pre-Treatment and Processing of Biological Samples," 126 pages.
	PCT/US2005/006383 filed February 28, 2005, entitled "Reagent Delivery System, Dispensing Device and Container for a Biological Staining Apparatus," 56 pages.
	International Preliminary Examination Report PCT/US03/40880
EXAMINER	DATE CONSIDERED
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	



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Application Number: 10/538,964

Filed: June 14, 2005

Applicants: Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob Lathrop, John Favuzzi

Title: A Method and Apparatus for Automatic Staining of Tissue Samples

Assignee: DakoCytomation Denmark A/S

Attorney Docket: P131 US 01

Customer No. 33549

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**CERTIFICATE OF EXPRESS MAILING**

I, Michael Blackmore, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Submission of Information Disclosure Statement pursuant to 37 CFR 1.97 (b)(3); Information Disclosure Statement Pursuant to 37 CFR §1.97(b)(3) and copies of foreign references and other documents cited; Letter of Transmittal; and return post card with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 23 day of January, 2006.

  
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Michael Blackmore



1-25-06 IFW 1744

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Application Number: 10/538,964  
Filed: June 14, 2005  
Applicants: Doug Sweet, Marc Key, Gordon Feingold, Kristopher Buchanan, Bob Lathrop, John Favuzzi  
Title: A Method and Apparatus for Automatic Staining of Tissue Samples  
Assignee: Dako Denmark A/S  
Attorney Docket: P131 US 01  
Customer No. 33549

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**LETTER OF TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed with this correspondence are the following documents:

1. Submission of Information Disclosure Statement pursuant to 37 CFR 1.97 (b)(3);
2. Information Disclosure Statement pursuant to 37 CFR §1.97(b)(3) and copies of foreign references and other documents cited;
3. This Letter of Transmittal; and
4. A Certificate of Express Mailing for each document and a return receipt post card.

I have this 23 day of January, 2006, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Please confirm receipt of the documents by applying your date stamp on the enclosed postcard and returning it to me.

Dated this 23 day of January, 2006.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue  
Nicole A. Ressue  
Attorney for Assignee  
USPTO No. 48,665  
125 South Howes, Third Floor  
Fort Collins, Colorado 80521  
(970) 224-3100



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Assignee: DakoCytomation Denmark A/S  
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Customer No. 33549

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**SUBMISSION OF INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. 1.97(b)(3)**

The applicant respectfully requests consideration of the attached Information Disclosure Statement. Pursuant to 37 C.F.R. 1.97(b)(3), no fee is required.

In accordance with 37 C.F.R. §1.97(b)(3), this Information Disclosure Statement is filed before the mailing date of a first office action (to the Applicant's best knowledge). As a means of complying with the duty of disclosure set forth in 37 C.F.R. §§1.56, 1.97, and 1.98, the following information may be material to the examination of the referenced application. Pursuant to 37 C.F.R. Section 1.97(g), this Information Disclosure Statement should not be construed as a representation that a search has been made. Additionally, pursuant to 37 C.F.R. §1.97(h) the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is or is considered to be material to patentability as defined in 37 C.F.R. 1.56(b). A copy of each item listed under Foreign References and Other Documents is enclosed.

Dated this 23 day of January, 2006.

Respectfully submitted,  
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue  
Nicole A. Ressue  
Attorney for Applicant  
USPTO No. 48,665  
125 South Howes, Third Floor  
Fort Collins, Colorado 80521  
(970) 224-3100